



2161

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q65718

Satoshi SHIMURA

**RECEIVED**

APR 13 2004

Appln. No.: 09/938,588

Group Art Unit: 2161

Confirmation No.: 2161

Examiner: Unknown

Filed: August 27, 2001

**GROUP 3600**

For: SYSTEM OF CONDUCTING PROCEDURE FOR SERVICE CONTRACT OF SERVICE INSTITUTION AND CONSUMER IN PLACE OF BOTH SERVICE INSTITUTION AND CONSUMER AND METHOD USING THE SYSTEM

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

1. Japanese Unexamined Patent Application Publication H10-171896, published

June 6, 1998.

2. Japanese Unexamined Patent Application Publication H11-328288, published

November 30, 1999.

3. Japanese Unexamined Patent Application Publication H10-222581, published

August 21, 1998.

Substitute Form 1449 A & B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> APR 12 2004 (use as many sheets as necessary)		<i>Complete if Known</i>	
		Application Number	09/938,588
		Confirmation Number	2161
		Filing Date	August 27, 2001
		First Named Inventor	Satoshi SHIMURA
		Art Unit	2161
		Examiner Name	Unknown
		Attorney Docket Number	Q65718
Sheet	1	of	1

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

**RECEIVED**

APR 19 2004

# GROUP 3000

## **NON PATENT LITERATURE DOCUMENTS**

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.

INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.:

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under § 1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

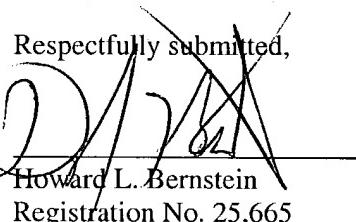
In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses here with a copy of a corresponding Japanese Office Action dated February 4, 2004 and an English translation of the pertinent portions thereof which cites such documents and indicates the degree of relevance found by the foreign office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

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WASHINGTON OFFICE  
**23373**  
CUSTOMER NUMBER

Respectfully submitted,  
  
Howard L. Bernstein  
Registration No. 25,665

Date: April 12, 2004

Q65718

Claims 1 through 27  
Cited Literature 1 though 3

Described in Cited Literature 1 through 3 is a system that carries out continuous notification of information that is registered or modified.

A person skilled in the art could easily conceive of doing a service that a service provider provides using the information that is registered or modified.

### List of Cited Literature

1. Japanese Unexamined Patent Application Publication H10-171896
  2. Japanese Unexamined Patent Application Publication H11-328288
  3. Japanese Unexamined Patent Application Publication H10-222581

## Record of Prior Art Literature Search Results

Searched fields IPC 7th Edition G06F17/60  
G06F19/00

## List of the Material for I.D.S

1. Japanese Patent Laid-open Gazette 171896/1998
2. Japanese Patent Laid-open Gazette 328288/1999
3. Japanese Patent Laid-open Gazette 222581/1998

## 拒絶理由通知書

特許出願の番号 特願 2000-270320  
起案日 平成16年 1月29日  
特許庁審査官 小山 和俊 9369 5L00  
特許出願人代理人 金田 暢之(外2名)様  
適用条文 第29条柱書、第29条第2項

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

## 理由

A. この出願の下記の請求項に記載されたものは、下記の点で特許法第29条第1項柱書に規定する要件を満たしていないから、特許を受けることができない。

## 記

請求項1乃至27に記載されたものは、所謂コンピュータシステムと特定したものではなく、手続きを代行する仕組み(社会システム)を特定したものとも解することができる。

よって、この請求項には、ソフトウェアによる情報処理がコンピュータのハードウェア資源を用いて具体的に記載されておらず、自然法則を利用した技術的思想の創作にあたらない。

B. この出願の下記の請求項に係る発明は、その出願前日本国内又は外国において頒布された下記の刊行物に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

記 (引用文献等については引用文献等一覧参照)

請求項1乃至27

引用文献1乃至3

引用文献1乃至3には、登録・変更される情報の通知手続きを代行するシステムが記載されている。

登録・変更される情報として、サービス提供者が提供するサービスとすること

は、当業者であれば容易に着想し得るものである。

### 引用文献等一覧

1. 特開平10-171896号公報
2. 特開平11-328288号公報
3. 特開平10-222581号公報

先行技術文献調査結果の記録

・調査した分野 I P C 第 7 版 G 0 6 F 1 7 / 6 0  
G 0 6 F 1 9 / 0 0